

### **REMARKS**

Claims 7–11 are pending in the present application. Claims 7, 10 and 11 are currently amended. Support for the amendments can be found throughout the specification as originally filed, for example, on p. 4, line 29 – p. 5, line 8. Reconsideration is respectfully requested.

### **Rejections Under 35 U.S.C. § 103**

Claims 7–11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0107877 to Whiting et al. (hereinafter “Whiting”) in view of U.S. Patent No. 5,499,367 to Bamford et al. (hereinafter “Bamford”).

The Examiner asserted that “Whiting teaches ‘In a computer system having a plurality of nodes each node having access to a shared common database...a method of performing an operation to completely rewrite said shared common database.’ (See Abstract).” Office Action p. 3, lines 1–4. Applicant respectfully submits that, contrary to the Examiner’s characterization, Whiting describes “[a] system for backing up files from disk volumes on multiple nodes of a computer network to a common random-access backup storage means.” Nothing in Whiting describes anything about a shared common database as described and claimed in the present Application. Rather, the only data structure that is commonly shared by a plurality of nodes described in Whiting is a “backup storage means” (paragraphs [0029]–[0031]) which may consist of disk space on a network file server (paragraph [0029]), disk space on a backup server (paragraph [0030]) or secondary storage means in a hierarchical storage management system (paragraph [0031]). Thus, in Whiting, the data being backed up or completely rewritten is data on individual nodes, not data on a shared common database. Furthermore, even if the backup means were construed as being a shared common database, Whiting does not teach or suggest completely rewriting the shared common database because the backup means of Whiting are never completely rewritten.

In contrast, the present invention as described and claimed involves a plurality of nodes having access to a shared common database in a parallel server system. Data on the shared parallel server is backed up, i.e., completely rewritten, by one or more of the nodes. The shared parallel server database is not the backup means. Rather, in the present invention, the one or

more nodes become a backup means for the parallel server database.

To more clearly describe the present invention, claim 7 is amended herein to change “shared common database” to “shared parallel server database.” The amendment also clarifies that the redo logs from each of the plurality of nodes are made accessible by the particular nodes that are selected to perform the claimed rewrite operation. Support for the amendment can be found throughout the specification, for example on p. 4, line 29 – p. 5, line 8.

The Examiner also asserted that “Bamford teaches a local archived redo log for each node utilized in a database rewriting system.” Office Action, page 4, lines 5–6. In addition to the arguments previously presented in distinguishing over Bamford, Applicant respectfully submits that the redo logs described in Bamford contain information for backing up or rewriting data on the node, not data on the common database as claimed. (See col. 4, line 66–col. 5, line 1: “Each subset of clients [nodes] is assigned a log, and the redo records of those clients are maintained in that log.”). Further, nothing in Bamford or Whiting teaches or suggests that the redo logs from each of the plurality of nodes are made accessible by the particular nodes that are selected to perform the claimed rewrite operation of a commonly shared parallel server database, according to amended claim 7.

Since neither Whiting nor Bamford, taken alone or combined, teaches or suggests each and every element of claim 7 as claimed, Applicant respectfully submits that the rejections of claims 7–11 under 35 U.S.C. § 103 have been overcome. Reconsideration is respectfully requested.

**CONCLUSION**

In view of the amendments and remarks set forth above, Applicant respectfully submits that the pending claims are patentably distinct and in condition for allowance. Favorable consideration and allowance are respectfully requested. Authorization is hereby given to charge deposit account 50-2896 in connection with any fees or extension of time or any other fee that may be necessary to permit entry of this response.

The Examiner is invited and encouraged to telephone the undersigned with any concerns or requests in furtherance of the prosecution of the present application.

Respectfully submitted,

Dated: February 17, 2010

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